

1 KEVIN V. RYAN (CSBN 118321)
United States Attorney

2 MARK L. KROTOSKI (CSBN 138549)
3 Chief, Criminal Division

4 JULIE A. ARBUCKLE (CSBN 193425)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102
7 Telephone: (415) 436-7102
Facsimile: (415) 436-7234

8 Attorneys for Plaintiff

FILED

FEB 09 2007

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 JOSE MEDINA-GONZALES, aka JOSE
18 OCHOA,

19 Defendant.

CR No. 06-0814 MHP

STIPULATION AND ~~PROPOSED~~ ORDER
EXCLUDING TIME

20
21 On February 5, 2007, the parties in this case appeared before the Court and stipulated that
22 time should be excluded from the Speedy Trial Act calculations from February 5, 2007 to
23 February 9, 2007 for effective preparation of counsel, in that defense counsel required adequate
24 time to obtain additional information relevant to the United States' request that Defendant Jose
25 Medina-Gonzales remain in custody. The parties represented that granting the continuance was
26 the reasonable time necessary for effective preparation of defense counsel, taking into account
27 the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that
28 the ends of justice served by granting such a continuance outweighed the best interests of the

1 public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

2 SO STIPULATED:

3
4 KEVIN V. RYAN
United States Attorney

5 DATED: February 6, 2007

6 /s/
JULIE A. ARBUCKLE
Assistant United States Attorney

7
8 DATED: February 7, 2007

9 /s/
STEVEN KOENINGER
Attorney for Defendant Jose Medina-Gonzales

10
11 As the Court found on February 5, 2007, and for the reasons stated above, the Court finds
12 that the ends of justice served by the continuance outweigh the best interests of the public and the
13 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
14 calculations from February 5, 2007 to February 9, 2007 for effective preparation of defense
15 counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would
16 deny counsel reasonable time necessary for effective preparation, taking into account the exercise
17 of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

18 SO ORDERED.

19
20 DATED: 2/9/07

21 
22 Maria-Elena James
United States Magistrate Judge